

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO HEALTH AND SAFETY - DEPARTMENT OF HEALTH

Introduced By: Senators McCaffrey, Lombardi, Conley, Nesselbush, and Archambault

Date Introduced: March 02, 2017

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-1-48 of the General Laws in Chapter 23-1 entitled "Department
2 of Health" is hereby amended to read as follows:

3 **23-1-48. Reimbursement for medical record copies.**

4 (a) The director shall promulgate rules and regulations which establish reasonable
5 charges for expenses incurred in responding to requests for copies of medical records by
6 physicians pursuant to § 5-37-22(c) and (d), and by any health care provider as defined in §5-
7 37.3-3. The director may utilize data provided by the Rhode Island health information
8 management association or other similar local professional organization in his or her
9 determination as to the amount of the charges permitted by this section.

10 (b) If the health care provider defined in §5-37.3-3 utilizes an electronic health records
11 system or database:

12 (i) Any patient pursuant to §5-37.3-3 shall have a right to obtain from any health care
13 provider a copy of their records in an electronic format; and

14 (ii) Notwithstanding the provisions of subsection (a) of this section, the charges for
15 responding to requests for copies of medical records in electronic format shall not exceed a fee
16 for clerical services of fifteen dollars (\$15.00) inclusive of shipping costs and the reasonable costs
17 of data retrieval and/or the data storage device used to transport the medical records.

18 (c) If the health care provider as defined by §5-37.3-3, does not utilize an electronic
19 health records system or database, the charges for responding to requests for copies of medical

1 records shall not exceed a fee for clerical services of fifteen dollars (\$15.00) inclusive of retrieval
2 costs, shipping costs; provided, however, that ten cents (\$.10) per page may be added for all
3 pages of medical records provided.

4 (d) Copies of X-rays or other documents not reproducible by photocopy shall be provided
5 at the health care provider's actual cost, plus reasonable fees for clerical service not to exceed
6 fifteen dollars (\$15.00).

7 (e) A special handling fee of ten dollars (\$10.00) may be charged if the records must be
8 delivered to the patient or authorized representative within forty-eight (48) hours of the request.

9 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HEALTH AND SAFETY - DEPARTMENT OF HEALTH

- 1 This act would determine reimbursement rates for medical records copies from health
- 2 care providers including those that utilize an electronic health records system.
- 3 This act would take effect upon passage.

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